IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT

JODHPUR

O R D E R

Mangi Lal Goliya. Versus State of Rajasthan & Ors.

S.B. Civil Writ Petition No. 976/2006

Date of Order: May 16, 2007

PRESENT

HON'BLE MR.JUSTICE H.R.PANWAR

Mr. Mukesh Rajpurohit, for the petitioner.
Mr. B.L.Tiwari, Deputy Govt. Advocate, for respondents.

BY THE COURT:

By the instant writ petition under Article 226 of the Constitution of India, the petitioner has challenged the order Annx. 3 dated 7-2-2006 passed by the respondent No.2 the Additional Collectgor, Jodhpur directing the Tehsildar, Bilara to relieve the petitioner.

I have heard learned counsel for the parties.

The effect and operation of the order Annx.3 dated 7-2-2006 has been stayed by this Court vide order dated22-2-2006 and in pursuance of the interim order, the petitioner has

been continuing in the Tehsil Office, Bilara for about fifteen months. In my view, no useful purpose will be served in allowing the order impugned to stand after such a long time.

Keeping in view the fact that the petitioner has been continuing at the place from which he was said to be transferred for about fifteen months, in my view, the order impugned relieving order Annx.3 dated 7-2-2006 as also the impugned transfer order dated 14-7-2005 Annx. 1 deserve to be set aside.

In the result, the writ petition is allowed. Order impugned Annx.3 dated 7-2-2006 relieving the petitioner as also the impugned transfer order Annx.1 dated 14-7-2005 are set aside. However, it will be open for the respondents to pass a fresh order, if service exigency so arises. Stay petition stands disposed of. There shall be no order as costs.

(H.R. PANWAR), J.

mcs